

The American government also stands by its commitment to a just peace in the Middle East. We are working toward a day when two states, Israel and Palestine, live peacefully together within secure and recognize borders as called for by the Security Council resolutions. We will do all in our power to bring both parties back into negotiations. But peace will only come when all have sworn off, forever, incitement, violence and terror.

And, finally, this struggle is a defining moment for the United Nations, itself. And the world needs its principled leadership. It undermines the credibility of this great institution, for example, when the Commission on Human Rights offers seats to the world's most persistent violators of human rights. The United Nations depends, above all, on its moral authority—and that authority must be preserved.

The steps I described will not be easy. For all nations, they will require effort. For some nations, they will require great courage. Yet, the cost of inaction is far greater. The only alternative to victory is a nightmare world where every city is a potential killing field.

As I've told the American people, freedom and fear are at war. We face enemies that hate not our policies, but our existence; the tolerance of openness and creative culture that defines us. But the outcome of this conflict is certain: There is a current in history and it runs toward freedom. Our enemies resent it and dismiss it, but the dreams of mankind are defined by liberty—the natural right to create and build and worship and live in dignity. When men and women are released from oppression and isolation, they find fulfillment and hope, and they leave poverty by the millions.

These aspirations are lifting up the peoples of Europe, Asia, Africa and the Americas, and they can lift up all of the Islamic world.

We stand for the permanent hopes of humanity, and those hopes will not be denied. We're confident, too, that history has an author who fills time and eternity with his purpose. We know that evil is real, but good will prevail against it. This is the teaching of many faiths, and in that assurance we gain strength for a long journey.

It is our task—the task of this generation—to provide the response to aggression and terror. We have no other choice, because there is no other peace.

We did not ask for this mission, yet there is honor in history's call. We have a chance to write the story of our times, a story of courage defeating cruelty and light overcoming darkness. This calling is worthy of any life, and worthy of every nation. So let us go forward, confident, determined, and unafraid.

Thank you very much. (Applause.)

REGARDING H.R. 3162

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2001

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in opposition to H.R. 3162 because I support combating terrorism in a way that ensures the protection of our freedom and liberties as well as our security. Unfortunately, H.R. 3162 provides sweeping new authority to law enforcement without also providing strong safeguards against the abuse of these new powers, and I cannot support it.

This issue is so important because it combines two of the most sacred responsibilities

of the American government—protection of citizens' safety and the preservation of their liberty. Throughout our history, our government has sought the proper balance between the needs of law enforcement to conduct investigations in pursuit of suspected criminals and the needs of law-abiding citizens to live free from unnecessary government intrusion into their lives and activities. Until September 11, 2001, many felt we were equipped with the investigative tools they needed to investigate suspected criminals and prevent serious crimes. Since then, however, the need for new tools has become apparent.

The terrorist attacks of September 11 showed all Americans that new protections are needed to keep Americans safe and to uncover the activities of those who would do us future harm. The terrible acts shocked the world with their brutality, and I strongly support the President as he moves to eliminate future terrorist threats both at home and abroad. I also believe that the law enforcement community needs to modernize its capabilities to address the new threats we face as a nation but that we should not act hastily without fully understanding how the new powers will affect American freedom.

In response to the newly apparent need for changes in the law pertaining to criminal investigations, the House Judiciary Committee held hearings on the issue and crafted a thoughtfully designed bill to address the needs of law enforcement. The Committee's bill, H.R. 2975—the PATRIOT Act, passed in an incredibly rare unanimous and bipartisan vote of 36–0. H.R. 2975 received widespread support among members of the House, and I was prepared to support its passage through the House. It was a comprehensive bill that would have given important new authority to law enforcement while maintaining strong protections for the liberty and freedom of all citizens. H.R. 2975 would also have retained the crucial oversight of criminal investigations and prosecutions by impartial judges charged with ensuring that law enforcement acts fairly and responsibly.

The version of H.R. 2975 that reached the floor, however, was not the version I and many of my colleagues supported. Through a series of late-night negotiations held by a very small group of legislators, the language of H.R. 2975 was amended and altered to remove many of the vital protections contained in the original bill. I believe that laws affecting the civil liberties of Americans are among the most important considered by the Congress, and I could not in good conscience vote for a bill that I believe will threaten the liberties and freedoms we cherish.

In the days following the passage of H.R. 2975 by the House, the conference committee of the House and Senate created a new bill, H.R. 3162, designed to eliminate the differences in the versions of anti-terrorism legislation already passed by both chambers. In spite of some hard work by the negotiators, I am unable to support this new bill because it does not strike the right balance between protecting our liberties and providing for the security of our citizens.

Let me share with you a few of the bill's troublesome provisions to illustrate how it fails to protect our liberties and prevent abuse of the new powers. First, Federal prosecutors and the FBI are given broad access to very sensitive medical, educational, and financial

records about individuals without having to show evidence of a crime and without a court order. Second, the CIA and other intelligence agencies are once again given the authority to conduct surveillance on Americans because they will be tasked with identifying priority targets for intelligence operations within the United States. The last time this happened, during the 1970s, the Congress discovered numerous serious abuses of this power. Finally, this new legislation expands the power of the federal government to conduct secret searches. These secret searches can be conducted against suspected terrorist activity but can also be used in routine criminal investigations not related to terrorism. These are only a few of the broad, sweeping powers granted to the federal government in this new law.

As a former federal prosecutor and New Mexico's Attorney General, I am both familiar with the needs of law enforcement to pursue suspects and a strong supporter of law enforcement. I also am a strong supporter of civil liberties and believe that the fourth amendment to our Constitution must be guarded against encroachment, even in the name of security. In opposing H.R. 3162, I was expressing my belief that the needs of law enforcement can be met without eroding our liberty. My experience shows that this belief is true, and my convictions tell me that it is right.

A TRIBUTE TO SARGENT SHRIVER,
ONE OF AMERICA'S GREATEST
PUBLIC SERVANTS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2001

Mr. HOYER. Mr. Speaker, as our nation moves forward from September 11, we know that the answer to profound loss and tragedy can only be found in faith and determination.

Ours is a story of perseverance, of courage, of sacrifice. The American journey has not been paved by ease. Our quest for freedom, democracy and decency has never been free. Yet, we are strengthened by the fact that each generation of Americans prepares its place in history from the shoulders of those who preceded.

Thus, it's with great honor that I pay tribute, on the occasion of his 86th birthday, to one of the greatest public servants in the history of our nation and a great American—Robert Sargent Shriver, Jr.

Sargent Shriver's devotion to this nation—and humanity—sets an example for all to emulate and a high bar that only a few will ever hope to exceed.

A native of the State of Maryland, and in fact a member of one of the Free State's founding families, Sargent Shriver has dedicated his life to improving the lives of others.

A few years ago, Sarge was asked to explain his lifelong commitment to public service. "I just feel my faith," he said. "A life of service is like catching a disease. In a family it's passed on. . . . Our five children are all involved in service. It's in their veins."

There is no doubt that this generation and future generations of Americans are the beneficiaries of his life of service.

After graduating from Yale Law School in 1941, Sarge enlisted in the Navy, where he